

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

WESLEY ZIMMERMAN,

Plaintiff,

v.

Case No. 1:08cv830

MIKE CRABTREE, et al.,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on May 27, 2009 (Doc. 18).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). Plaintiff did file objections (Doc. 23) and Defendants filed a response (Doc. 24).

Having reviewed this matter de novo pursuant to 28 U.S.C. 636, this Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. This case shall proceed pursuant to the schedules set forth in Docs. 16 and 17.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett
United States District Judge